

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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LB 44

an amendment, AM1313, Senator, with a note you wish to withdraw.

SENATOR CUDABACK: It is withdrawn.

CLERK: Mr. President, Senator Chambers would move to amend with AM1657. (AM1657, Legislative Journal page 1884.)

SENATOR CUDABACK: Senator Chambers, to open on your amendment.

SENATOR CHAMBERS: Mr. President, members of the Legislature, this is that amendment that relates to the situation that came to my attention through a World-Herald reporter. It has to do with law enforcement agencies circumventing the constitution and the laws of this state to keep money that is realized from seizures of drug money, as it's called, or conveyance used in violation of the drug laws and their keeping it. The people of this state, in 1984, amended the constitution in such a way as to permit such forfeitures to occur. But in the process of amending the constitution, it was stated explicitly where that money should go--to the schools and to county drug education funds. Now, what the federal government has done is to become complicit with law enforcement in circumventing the Constitution and laws of this state. They will take a set of circumstances where a crime is committed in this state, or alleged to have been committed. But before I finish you'll see that the person doesn't have to even have committed a crime. They will channel this through federal processes. The federal government keeps 20 percent and kicks back 80 percent to the law enforcement agency. The law enforcement agency then keeps that money. This tactic creates great similarities between law enforcement in Nebraska and drug dealers. Why do I say that? Both are engaged in laundering drug money. They want to change the character of that money, if they can, to make it seem legitimate. The federal government said we'll be your shill and you launder it through us for a 20 percent cut. Money has a way of muffling moral outrage at the accumulation of profits, even when the method by which those profits are accumulated are wrong. Greed drives the drug dealer, greed drives law enforcement, in this regard. There are some questions that need to be put. The first one, obviously, is to obey or not to obey the Nebraska Constitution. Should the constitution be obeyed by law enforcement? They take an oath to uphold the constitution and